

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

c/o DCRA – 1100 4th Street, SW, Washington, DC 20024

CODE CHANGE PROPOSAL FORM

PAGE 10F 19

CODE: Building

SECTION NO: Chap. 32

SUBCOMMITTEE AMENDMENT NO. BC-B-32-1-13

PROPOSING SUBCOMMITTEE:

Building CHAIR: Sabbakhan

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DATES OF PROPOSAL: 7/11/2012

CCCB PRESENTATION: 7.12.12

CCCB APPROVAL: 7.19.12

CHECK ONE

☐ *Revise section to read as follows:*

☒ *Delete section and substitute the following:*

☐ *Add new section to read as follows:*

Delete section without substitution.

TYPE ALL TEXT IN 12-POINT TIMES NEW ROMAN FONT

~~**LINE THROUGH TEXT TO BE DELETED**~~ (highlight text, under Format, click font and check strikethrough)

UNDERLINE TEXT TO BE ADDED

Use additional sheets of the form, if necessary.

See next page.

Anticipated impact of code change on cost of construction (CHECK ONE)

☐ *Increase*

☒ *Decrease*

☐ *Negligible*

☐ *Unknown*

Per 1,000 SF single-family dwelling

to

Per 1,000SF of commercial building

to

JUSTIFICATION OF CHANGE:

Please reference one or more of the criteria required

☐ **To address a critical life/safety, health, general welfare need.**

☐ **To address a specific District of Columbia policy or statute**

☐ **For consistency with federal, or with reference to the Metro DC area (MD, VA) codes**

☒ **Address a unique character issue in the District of Columbia**

☐ **Correction of errors and omissions**

☐ **Other (explain)**

Amendment introduces code changes approved in 2009 code cycle (BC-32-1-11). Proposed modification included to section on foregone construction proposed by DDOT for further discussion.



CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

SECTION

3202 Encroachments

3202 ENCROACHMENTS

Strike Sections 3202.1 through 3202.4 of the International Building Code in their entirety and insert new Sections 3202.1 through 3202.13.2.5 to the Building Code in their place to read as follows:

3202.1 Encroachments below grade.

Encroachments below grade shall comply with [Sections 3202.1.1 through 3202.1.3.](#)

3202.1.1 Structural support.

A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the *lot lines*, except that the footings of street walls or their supports which are located not less than 8 feet (2438 mm) below grade shall not project more than 12 inches (305 mm) beyond the street *lot line*.

3202.1.2 Vaults and other enclosed spaces.

The construction and utilization of vaults and other enclosed spaces below grade shall be subject to the terms and conditions of the applicable governing authority.

3202.1.3 Areaways.

Areaways shall be protected by grates, *guards* or other *approved* means.

3202.2 Encroachments above grade and below 8 feet in height.

Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in [Sections 3202.2.1 through 3202.2.3.](#) Doors and windows shall not open or project into the public right-of-way.

3202.2.1 Steps.

Steps shall not project more than 12 inches (305 mm) and shall be guarded by *approved* devices not less than 3 feet (914 mm) in height, or shall be located between columns or pilasters.

3202.2.2 Architectural features.

Columns or pilasters, including bases and moldings shall not project more than 12 inches



(305 mm). Belt courses, lintels, sills, architraves, pediments and similar architectural features shall not project more than 4 inches (102 mm).

3202.2.3 Awnings.

The vertical clearance from the public right of way to the lowest part of any *awning*, including valances, shall be not less than 7 feet (2134 mm).

3202.3 Encroachments 8 feet or more above grade.

Encroachments 8 feet (2438 mm) or more above grade shall comply with [Sections 3202.3.1 through 3202.3.4](#).

3202.3.1 Awnings, canopies, marquees and signs.

Awnings, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in [Chapter 16](#). *Awnings*, canopies, marquees and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support *awnings*, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

3202.3.2 Windows, balconies, architectural features and mechanical equipment.

Where the vertical clearance above grade to projecting windows, balconies, architectural features or mechanical equipment is more than 8 feet (2438 mm), 1 inch (25 mm) of encroachment is permitted for each additional 1 inch (25 mm) of clearance above 8 feet (2438 mm), but the maximum encroachment shall be 4 feet (1219 mm).

3202.3.3 Encroachments 15 feet or more above grade.

Encroachments 15 feet (4572 mm) or more above grade shall not be limited.

3202.3.4 Pedestrian walkways.

The installation of a pedestrian walkway over a public right of way shall be subject to the approval of the applicable governing authority. The vertical clearance from the public right of way to the lowest part of a *pedestrian walkway* shall be not less than 15 feet (4572 mm).

3202.4 Temporary encroachments.

Where allowed by the applicable governing authority, vestibules and storm enclosures shall not be erected for a period of time exceeding seven months in any one year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street *lot line*. Temporary entrance *awnings* shall be erected with a clearance of not less than 7 feet (2134 mm) to the lowest portion of the hood or *awning* where supported on removable steel or other *approved noncombustible support*.



3202.1 Character of encroachments. Encroachments (hereinafter referred to in this Section as “projections”) are a privilege. They cannot be claimed as a right, and require a *permit* issued by the *code official*. The provisions of Section 3202 establish limitations on the projections that the *code official* is authorized to approve. The *code official* is authorized to further restrict or refuse proposed projections if the *code official* considers such action best for the public interest.

3202.2 Removal of projections. All permits for projections shall be issued with the understanding and agreement by the *applicant* that any and all such projections shall be promptly removed upon notice by the *code official*.

3202.3 Projections not requiring individual approval. The following projections shall not require projection approval:

1. Footing projections approved in connection with building permits; and
2. Bases, sills, water tables, cornices, belt courses, and roof overhangs conforming with requirements hereafter defined.

3202.4 Modification of projection requirements. The *code official* is authorized to grant modifications of requirements on projections when the modification is deemed in the general public interest, as defined in Section 3202.4.1 or in case of foregone construction, as set forth in Section 3202.4.2 and following:

3202.4.1 Modifications in the general public interest. Modifications in the general public interest are those requested to embellish the building, provided that:

1. The primary object of the modification is not the occupation of additional public space;
2. The primary object of the modification is not changing of interior arrangements;
3. In the opinion of the *code official* such modification will not interfere with adjacent buildings; and
4. In the opinion of the *code official* such modification will not interfere with the general public interest.

3202.4.2 [Reserved]

3202.5 Projections on streets to be widened. No new projections shall be allowed on the parts of streets to be widened in conformity with adopted and recorded highway extension plans until such parts of streets are so widened.

3202.5.1 Existing buildings. Where existing streets or avenues are widened, or new streets or avenues are laid out and opened, in conformity with the adopted and recorded



highway extension plans, in subdivisions existing at the time of record of such plans, and such widening or opening shall leave buildings or parts of buildings on such streets or avenues, such buildings or parts of buildings will be allowed to remain as projections beyond the new building line. Such grandfathered projections of such existing buildings shall be limited in projection distance to that allowed for porches by Section 3202.11.2.3 but no limitations shall be placed upon the kind of projection unless the facade is structurally altered. Such buildings are permitted to be moved under permit to another location on the same lot, upon compliance with applicable regulations.

3202.5.1.1 Structurally altered facades of existing buildings. In case the facade of an existing building covered by Section 3202.5.1 is structurally altered, the projections resulting from such alterations shall conform in all respects to the requirements of these regulations for new projections.

3202.6 Streets on which projections are prohibited. Projections shall not be permitted beyond the building line of the streets listed below.

Exception: Projecting cornices, bases, sills, belt courses, pilasters and water tables are not restricted by this section.

1. North side of Good Hope Road between Martin Luther King, Jr. Avenue and 18th Street, S.E.;
2. Florida Avenue, N.W., from 7th Street to 9th Street;
3. Maine Avenue, S.W., from 7th Street to 14th Street;
4. M Street, N.W., from 29th Street to 36th Street;
5. K Street, N.W., from Rock Creek westward to Wisconsin Avenue;
6. Water Street, N.W., from Wisconsin Avenue westward to the termination of said street;
7. Wisconsin Avenue, N.W., from the angle south of N Street to the north roadway of Q Street;
8. Twelfth Street, N.W., from Monroe Street to the angle north of Otis Street; and
9. Martin Luther King, Jr. Avenue, S.E. from Good Hope Road to the northern boundary of the grounds of St. Elizabeths Hospital.

3202.7 General restrictions. All projections shall comply with the provisions of Sections 3202.7.1 through 3202.7.6.



3202.7.1 Limitations based on street width. Projections shall not be allowed on any street less than 60 feet (18 288 mm) in width.

Exception: Projecting cornices, bases, water tables, pilasters or uncovered steps.

3202.7.1.1 Minimum clearance to curb line. A minimum clear space from the outer edge of the curb to the outer face of all projections and steps shall be preserved, as follows:

1. 6 feet (1829 mm) on streets 40 feet (12 192 mm) but less than 50 feet (15240 mm) wide;
2. 8 feet (2438 mm) on streets 50 feet (15 240 mm) but less than 60 feet (18 288 mm) wide;
3. 10 feet (3048 mm) on streets 60 feet (18 288 mm) to and including 80 feet (24 384 mm) wide;
4. 12 feet (3658 mm) on streets over 80 feet (24 384 mm) to and including 90 feet (27 432 mm) wide; and
5. 15 feet (4572 mm) on streets more than 90 feet (27 432 mm) wide.

3202.7.2 Clearance to lot lines extended. A clear space of at least 8 inches (203 mm) shall be preserved between party lines or alley lines extended and the outer walls or sides of projections.

Exception: Cornices, belt courses, pilasters, bases, water tables, and walls of areas, are permitted to extend to but not over party lines or alley lines extended. Such projections shall be constructed so that the removal of one structure or its projections will not affect or damage the adjoining structure or projections and will not interfere with the construction or reconstruction of projections or buildings on the adjoining property.

3202.7.2.1 Definition of property lines extended. The term “party lines extended” means lines through the corners of the property, at interior lot lines, and perpendicular to the street. The term “alley line extended” means a line through the corner of the property, at the intersection of an alley with the street, and perpendicular to the street.

3202.7.3 Chimneys. Chimneys shall not project beyond the building line or building restriction line.

3202.7.4 Plumbing fixtures. Plumbing fixtures shall not be located in projections.

Exception: Area drains and roof drains.



3202.7.5 Overhead projections. The footprint of any projecting sign, fixture, marquee, or other overhead projection of a building shall not extend over public space beyond a line 18 inches (457 mm) behind the curb line.

Exception: Market sheds, as provided for in Sections 3202.12.4 through 3202.12.4.3.

3202.7.6 Construction of projections. Projections shall be constructed of any materials permitted by this code for the type of construction of the building.

Exceptions:

1. Roofing, skylights and roof domes in projecting structures are permitted to be of the same materials allowed for similar non-projecting structures.
2. Where noncombustible materials are specifically required elsewhere in this chapter for specific projections.
3. Where combustible materials are specifically allowed elsewhere in these regulations for specific projections.

3202.8 Projections requiring special approval. Projections regulated under Sections 3202.8.1 and 3202.8.2 shall require approval by the Director of DDOT.

3202.8.1 Pedestrian walkways and tunnels. Pedestrian walkways and tunnels shall meet the requirements of Section 3104. In addition, the vertical clearance from the public right-of-way to the lowest part of an elevated pedestrian walkway shall be 15 feet (4572 mm) minimum.

3202.8.2 Porte-cocheres. Porte-cocheres shall be permitted one story in height. All driveways and approaches that serve a porte-cochere and cross sidewalks or parking lots shall be paved and otherwise improved to the satisfaction of the Director of DDOT.

3202.9 Subsurface projections. Areaway and vault projections shall comply with the requirements of Sections 3202.9.1, 3202.9.2 and 3202.9.3, respectively.

3202.9.1 Areaways. Areaway projections shall comply with the requirements of Sections 3202.9.1.1 through 3202.9.1.5.

3202.9.1.1 Width. The width of areaways, measured from outside to outside of area enclosing walls, shall not be limited if located between property lines extended.

3202.9.1.2 Enclosure height. The height of areaway enclosures shall be limited to the highest point of the surface of the adjoining pavement or grade.



Exception: Copings not over 8 inches (203 mm) high, and railings or guardrails.

3202.9.1.3 Projection. The extent of areaway projection shall be measured from the building line to the inside face of the areaway wall. Projection beyond the building line shall be limited based on zoning districts, as defined in the *Zoning Regulations*, as follows:

1. 4 feet (1219 mm) on streets in C, C-M, and M Districts.
2. 4 feet (1219 mm) on unparked streets in Residential Districts and SP Districts, more than 60 feet (18 288 mm) wide.
3. 6 feet (1829 mm) on parked streets in Residential Districts and SP Districts, 60 feet to 70 feet (18 288 mm to 21 336 mm) wide.
4. 6 ½ feet (1981 mm) on parked streets in Residential Districts and SP Districts, more than 70 feet (21 336 mm) wide.
5. 7 feet (2134 mm) on parked streets in Residential Districts and SP Districts where parking is 20 feet (6096 mm) or more in width.

3202.9.1.4 Other requirements. Areaways shall be protected by substantial metal guardrails not less than 42 inches (1067 mm) nor more than 48 inches (1219 mm) high. Proper protection by metal railings that meet the guardrail requirements of Section 1013 of the *Building Code* shall be provided where steps or platforms are built over areas. Basement or cellar steps in areaways shall be protected in the same way and shall have gates at top of the steps unless otherwise protected.

Exception: Areaways located in unpaved parking that cannot lawfully be paved are permitted to be protected by substantial metal gratings.

3202.9.1.5 Alley location prohibited. Areaways shall not be located in an alley.

3202.9.2 Vaults. Vaults shall comply with the requirements of Sections 3202.9.2.1 through 3202.9.2.5.

3202.9.2.1 Permits. Applications for vault permits shall be submitted to the *code official*, accompanied by the following documentation:



1. Plans showing the location and dimensions of the vault, vault openings, the vault depth below the surface of the pavement or grade, and the proposed method of construction.
2. A certified copy of a written vault agreement in compliance with Section 106.6.1 filed and recorded in the Office of the Recorder of Deeds.

3202.9.2.2 Size and openings. Vault design shall comply with the following:

1. Approval of the size and extent of vaults, and of the number and size of vault openings, shall be a matter of special determination in each case by the code official.
2. Vaults extending under alleys shall have no openings in the alley pavement, and shall not extend within 30 inches (762 mm) of the center of the alley.

3202.9.2.3 Use of vault space. The use of the vault space shall be subject to the following conditions:

1. The code official is authorized to approve transformer vaults exclusively to house utility equipment. Storage in such vaults shall be prohibited.
2. Vaults in business districts shall not be used for the following purposes: public entrances to basements; means of egress corridors; housing of boilers; housing of plumbing fixtures; housing of storage tanks for propane or other flammable gas; or the housing of mechanical appliances or any equipment not removable within 24 hours.
3. Vaults shall be allowed to be used for the following purposes: access to open areaway stairs; storage of readily movable personal property and equipment; sales or office space; housing of fuel oil storage tanks; parking of motor vehicles; installation of ducts, pipes or wiring; location of ducted air shafts; housing of fans; and housing of similar items which can be removed or relocated if vault space is removed.
4. Fuel oil filling pipes, in vaults in business districts, shall be extended to within 18 inches (457 mm) of the curb line when physically possible. Such pipes shall terminate in filling boxes of approved design. A separate permit shall be required for such filling pipes and filling boxes.
5. If openings in the roofs of vaults are used for sidewalk elevators or for runways, they shall be located as near to the curb as possible and shall be equipped with heavy metal safety doors and frames.



6. The *code official* is authorized to approve other uses not forbidden by law, code, or regulation.

3202.9.2.4 Vault cover. Cover over vaults shall comply with the following:

1. The paving over vaults shall be laid according to specifications of DDOT for surface paving and shall conform to established grades. All such coverings shall be so constructed as to be flush with pavement, and have a roughened surface to provide security to persons passing over them.
2. Pavements over vaults shall be laid at the expense and risk of the owner of abutting property, under a special public space permit or pursuant to an order issued by DDOT.
3. The roof of a vault, between the curb and building lines, shall at no place be less than 4 inches (102 mm) below the approved sidewalk grade at that point.
4. Vaults shall be roofed over within a reasonable time or within the time fixed by the public space permit.
5. Whenever the grade over the vault is changed, the vault shall be changed and re-paved at the expense of the owner of abutting property, to comply with the new grade.

3202.9.2.5 Interference with utilities. Construction of vaults shall be subject to the following conditions:

1. Vaults shall be constructed so as not to interfere with sewers, water mains, gas mains, electric or telephone conduits, signal conduits, manholes, lamp posts, trees, or any other public or public utility works or improvements.
2. If construction or alteration of a vault requires the removal or relocation of utilities, and if by agreement a public utility or District utility arranges to alter its facilities, the owner of abutting property shall notify the appropriate company or office concerned as to when a permit has been issued and construction or alteration work is ready to commence.

3202.10 Balconies, windows, towers and structural trim. Balconies, windows, towers and structural trim shall conform to the provisions of Sections 3202.10.1 through 3202.10.9.

3202.10.1 Prohibition on alley location. Balconies, bay, oriel, or show windows, or towers shall not project over alley spaces.

3202.10.2 Balconies. Balconies shall comply with the width and projection requirements



of Sections 3202.10.2.1 and 3202.10.2.2.

3202.10.2.1 Width. Balconies shall maintain an 8 inch separation from property lines extended. Aggregate balcony width is otherwise unlimited. Where balconies are structurally connected to bay windows, the width of the balconies shall be included in the width of the bay windows and the combined width shall comply with the requirements for bay windows.

3202.10.2.2 Projection. Balcony projection from the building line shall be limited as follows:

1. 3 feet (914 mm) on streets more than 60 feet (18 288 mm) and less than 70 feet (21 336 mm) wide.
2. 4 feet (1219 mm) on streets 70 feet (21 336 mm) or more in width.

3202.10.3 Bay windows. Bay window projections shall comply with the requirements of Sections 3202.10.3.1 through 3202.10.3.4.

3202.10.3.1 Width. The width of bay windows at each building line shall be limited as follows:

1. A bay window projection shall not be allowed on buildings less than 16 feet (4877 mm) wide at the building line;
2. A single projection of 9 feet (2743 mm) in width shall be allowed for all buildings having a width of 16 feet (4877 mm) or more at the building line;
3. The allowable width of a single projection shall increase 6 inches (152 mm) for every 1 foot (305 mm) of increase in the width of the building between 16 feet (4877 mm) and 24 feet (7315 mm) wide at the building line;
4. For buildings over 24 feet (7315 mm) in width, the allowable width of a single projection shall increase 2 inches (51 mm) for every 1 foot (305 mm) of increase in width of the building over 24 feet (7315 mm);
5. Multiple projections (two or more separate projections) shall not be allowed on buildings less than 24 feet (7315 mm) wide at the building line;



6. On buildings 24 feet (7315 mm) wide, a double projection shall be allowed, the total width of both projections not to exceed 13 feet (3962 mm).
7. The allowable aggregate width of double or multiple projections on buildings exceeding 24 feet (7315 mm) in width at the building line shall be increased 6 inches (152 mm) for each 1 foot (305 mm) of increased building width over 24 feet (7315 mm).
8. The width of bay window projections shall be measured at a distance of 1 foot from the building line.
9. Bay window projections of buildings on interior lots shall not extend beyond party lines extended.
10. A bay window at the corner of two streets is permitted to be continued around the corner. The portion of such a continued bay window that is located beyond building lines extended shall not be counted in the width of projections on either front.

3202.10.3.2 Height. The height of bay windows is not limited.

3202.10.3.3 Projection. The projection of bay windows shall be limited as follows:

1. 3 feet (914 mm) on streets 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.
2. 4 feet (1219 mm) on streets more than 70 feet (21 336 mm) wide.

3202.10.3.4 Other restrictions. Stairways shall not be permitted in bay window projections. Doors in bay windows that do not swing beyond the projection shall be permitted.

3202.10.4 Oriel and show windows. Oriel and show windows shall comply with the requirements of Sections 3202.10.4.1 and 3202.10.4.2, respectively.

3202.10.4.1 Oriel windows. Oriel windows shall conform to all the requirements governing bay windows.

3202.10.4.2 Show windows. Show windows shall conform to the width, projection and restrictions requirements of Sections 3202.10.3.1, 3202.10.3.3 and 3202.10.3.4 governing bay windows.

3202.10.5 Towers. Tower projections shall conform to all the requirements governing bay windows.



3202.10.6 Colonnades. Colonnades shall comply with the width, height and projection requirements of Sections 3202.10.6.1 through 3202.10.6.3.

3202.10.6.1 Width. Colonnades are subject to the minimum clearance of 8 inches (203 mm) from party and alley lines extended, required under Section 3202.7.2.

3202.10.6.2 Height. The height of colonnades is limited to two stories above grade.

3202.10.6.3 Projection. Colonnade projection is limited to 6 feet (1829 mm) where parking is 17 feet (5182 mm) or more wide. Projecting colonnades shall not be permitted on streets where parking is less than 17 feet (5182 mm) wide.

3202.10.7 Pilasters. Pilasters not more than 5 feet (1524 mm) wide are permitted to project 4 inches (102 mm) beyond the building line. Pilaster bases are permitted to project 8 inches (203 mm) beyond the building line.

3202.10.8 Bases, water tables and sills. Projecting bases and water tables shall not be more than 4 feet (1219 mm) above grade at the building wall nor above window sill level of the main story. Their length is not limited. The projection beyond the building line of bases, water tables, and window and other sills, is limited to 8 inches (203 mm).

3202.10.9 Belt courses, cornices and roof overhangs. The length and height of belt courses, cornices, and roof overhangs are not limited. The projection beyond the building line is limited to 8 inches (203 mm) for belt courses and 60 inches (1524 mm) for cornices and roof overhangs.

3202.11 Porches, steps, ramps and doors. Projecting porches, steps, ramps and doors shall conform to the provisions of Sections 3202.11.1 through 3202.11.5.

3202.11.1 Restrictions by zoning districts. Porch and step projections shall be allowed only in Residential and SP Districts, as established by the *Zoning Regulations*.

3202.11.2 Porches. Porches shall have open balustrades or guardrails and shall be open to the roof. The floor of the porch shall be not more than 5 feet (1524 mm) above the terrace, parking, adjacent grade or pavement.

3202.11.2.1 Width. Where there are no bay window, oriel window or tower projections, one-story high porches shall not be limited in width. Where there are bay windows, oriel window or tower projections in the same story, the aggregate width of porch and bay window, oriel window, or tower projections shall not exceed the limits specified for multiple bay window projections in Section 3202.10.3.1. The width of porches of more than one story in height shall conform to the provisions for bay windows in Section 3202.10.3.1.

3202.11.2.2 Height. Porches of wood frame construction shall be limited to one



story. Porches of more than one story in height shall be of noncombustible construction throughout.

3202.11.2.3 Projection. Projection of one-story high porches shall be limited as follows:

1. 3 feet (914 mm) on unparked streets, 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.
2. 4 feet (1219 mm) on unparked streets more than 70 feet (21 336 mm) wide.
3. 5 feet (1524 mm) on all parked streets. Porches more than one story in height shall conform to the provisions for bay windows in Section 3202.10.3.3 as to the extent of projection beyond the building line.

3202.11.2.4 Rear porches. Porches on rear of dwellings shall not project over the building line or building restriction line.

3202.11.3 Steps and ramps. Projecting steps and ramps are not limited in width but shall comply with the following height and projection requirements.

3202.11.3.1 Height. Step and ramp projections shall not extend above the level of the main floor.

3202.11.3.2 Projection. Step and ramp projections shall be limited as follows:

1. 3 feet (914 mm) on unparked streets 40 feet (12 192 mm) but less than 45 feet (13716 mm) wide.
2. 4 feet (12192 mm) on unparked streets 45 feet (13 716 mm) but less than 70 feet (21 336 mm) wide.
3. 5 feet (1524 mm) on unparked streets 70 feet.) (21 336 mm) but less than 80 feet (24384 mm) wide.
4. 6 feet (1829 mm) on unparked streets 80 feet (24 384 mm) or more in width.
5. 10 feet (3048 mm) on parked streets.

3202.11.4 Projecting doors and windows. Projecting doors and windows shall conform to the provisions of Sections 3202.11.4.1 through 3202.11.5.

3202.11.4.1 Permanent doors or windows. Permanent doors or windows shall not open outward on public spaces when less than 12 feet (3658 mm) above the



sidewalk grade.

Exception. Where the line of travel is protected by an adjoining porch, terrace, bay window, areaway, or similar construction, projecting not less than the outward swing of the door, permanent doors or windows are permitted to open outward.

3202.11.4.2 Residential or SP districts. Permanent doors and windows in Residential or SP Districts shall be allowed to open on public parking, provided they do not encroach on any sidewalk or driveway.

3202.12 Awnings, canopies, marquees, market sheds, platforms, and scales. Awnings, canopies, marquees, market sheds, platforms, and scales shall conform to the provisions of this Section and other applicable Sections of the *Construction Codes*.

3202.12.1 Awnings. Awnings shall conform to the provisions of this Section, Section 3105 and other applicable Sections of the *Construction Codes*.

3202.12.1.1 Projecting awnings beyond the building line. Folding, hinged or fixed type awnings attached only to the structure are permitted to be erected over windows, show windows and doors, and shall comply with the provisions of Sections 3202.12.1.1 through 3202.12.1.6.

Exception: The openings of projecting porches in Residential Districts are permitted to be covered with an awning.

3202.12.1.2 Clearance. Projecting awnings shall have a minimum clear height of 8 feet (2438 mm) above the sidewalk or any other space used by the public.

3202.12.1.3 Width. The width of projecting awnings shall be limited to the width of the window, show window; door or opening and a reasonable distance each side thereof.

3202.12.1.4 Projection. Projecting awnings shall not extend over 5 feet (1524 mm) beyond the vertical plane of the point of attachment.

3202.12.2 Canopies. Canopies shall conform to the provisions of this Section, Section 3105 and other applicable Sections of the *Construction Codes*. Canopies are permitted to be erected over doors, windows, show windows or other display openings and loading platforms, subject to the limitations of Sections 3202.12.2.1 through 3202.12.2.5.3.

3202.12.2.1 Restrictions based on zoning districts. Canopies projecting over public space are permitted to be erected in the C, C-M, and M Districts, as defined in the *Zoning Regulations*. Canopies approved pursuant to Sections 3202.12.2.5



through 3202.2.12.5.3 shall not be restricted based on zoning district.

3202.12.2.2 Width. Canopies are permitted to extend laterally on a building so as to cover the display window or space and a reasonable distance on each side thereof.

3202.12.2.3 Clearance. Projecting canopies shall have a minimum clear height of 8 feet (2438 mm) above the sidewalk or any other space used by the public.

3202.12.2.4 Projection. Canopy projections shall not exceed 5 feet (1524 mm) into public space unless the plans are submitted to and approved by the *code official*.

3202.12.2.5 Canopies over parking and sidewalks. The *code official* is authorized to approve permits for canopies with fixed iron posts and frames to be erected beyond the building line to the inner line of the sidewalk where such canopies will be used in conjunction with any of the following:

1. A place of assembly having an occupant capacity greater than 100 persons.
2. A residential building having more than 50 dwelling units.
3. A mercantile establishment or business building with a frontage of 100 feet (30 480 mm) or more on the street on which the canopy is proposed.
4. A mercantile establishment or business building that contains more than 15,000 square feet (1395 m²) in area per floor.

3202.12.2.5.1. Special merit cases. In specific cases where the *code official* determines that such an installation would be of merit without being detrimental to the public, the *code official* is authorized to grant approval of canopies over sidewalks that extend as close as 18 inches (457 mm) from the curb, when the *code official* determines that (a) pedestrian traffic flow will not be impeded, (b) the presence of such an awning will not detract from the appearance of the neighborhood, and (c) such an awning will be of convenience to the patrons of the establishment served by the awning, especially in the loading and unloading of vehicular traffic in inclement weather.

3202.12.2.5.2 Canopy width. The width of canopies over parking or sidewalks typically shall be limited to the width of the door or opening and a reasonable distance each side thereof. Canopies shall be of approved fire-retardant material, preserving a minimum clearance of 8 inches (203 mm) from the party lines extended. Permit applications for these canopies shall be accompanied by drawings showing the spacing of all posts and method of anchoring. The frames shall be structurally stable and posts shall be so



located as not to impede the principal flow of pedestrian traffic. Posts shall be rigidly secured at the base in sockets or by other approved means.

3202.12.2.5.3 Temporary canopies. Permits for sockets in the sidewalk for temporary covered ways across sidewalks or parking, as provided in Section 105 of DCMR Title 24 (Public Space and Safety), Chapter 1 (Occupations and Use of Public Space) shall be issued upon approval of DDOT. Permits for sockets confer no authority to erect temporary covered ways across sidewalks or any other space used by the public. Where sockets have been regularly installed, the Police Department will thereafter issue temporary permits authorizing the use of the temporary covered way in inclement weather.

3202.12.3 Marquees. Marquees shall conform to the provisions of this Section, Section 3106 and other applicable Sections of the *Construction Codes*. Marquees shall meet the width, clearance, and projection requirements of Sections 3202.12.3.1 through 3202.12.3.3.

3202.12.3.1 Width. Projecting marquees supported directly from the building, shall not be permitted to extend laterally on a building more than a sufficient length to cover the entrance and a reasonable distance on each side thereof.

3202.12.3.2 Clearance. The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any marquee shall be 8 feet (2438 mm).

3202.12.3.3 Projections. Marquee projections shall not exceed 5 feet (1524 mm) into public space unless otherwise approved by the *code official*.

3202.12.4 Market sheds. A market shed shall be permitted only on a site occupied by a market or produce house, when such site has been specifically designated as a market area.

3202.12.4.1 Design. The design of market sheds shall be approved by the *code official*, a permit shall be required, and all market sheds shall comply with the following provisions:

1. The shed roof is permitted over the public parking and public sidewalk of a building or buildings used for market purposes, extending from the building line to the curb.
2. The line of supports for the shed roof shall be at the inner edge of the sidewalk, the overhang being supported as a cantilever, unless the location of supports is otherwise approved by DDOT. The shed is permitted to be supported by hanging from the wall of the building when approved by the *code official*.



3. Gutters shall be provided throughout the length of all shed roofs, with downspouts equivalent to a 2 ½ inch pipe per 200 square feet of surface drains, the pitch of the roof to be at least ½ inch per foot.
4. Shed roofs shall be furnished with electric lights that provide levels of illumination in compliance with Section 1205.3.
5. Shed roofs shall comply with all structural requirements of Chapter 16 and other applicable Sections of the *Construction Codes*.

3202.12.4.2 Use of space. No public space beneath a shed constructed pursuant to Sections 3202.12.4 and following shall be used for the display, sale or storage of produce or containers. This restriction shall not apply to the temporary storage of materials incident to loading and unloading.

Exception: An area specifically designated as a market area for the retail or wholesale sale of produce on the premises is permitted to be used for the display, sale or storage of produce or containers.

3202.12.4.3 Special conditions. The foregoing rules shall be observed by the *code official* as a guide in issuing permits for market sheds except where the conditions are so obviously at variance with these general rules as to require special consideration. Cases requiring special consideration shall be reviewed as modifications pursuant to Chapter 1.

3202.12.5 Loading platforms. The *code official* is authorized to approve loading platforms projecting more than 5 feet (1524 mm) beyond the building line, in CM and M Districts. Canopies over such platforms shall be permitted. Special approval by the *code official* shall be required for such platforms and canopies.

3202.12.6 Platform scales. Platform scales projecting on public space are permitted in C-M and M Districts. Plans for such platform scales shall be submitted to and approved by the Director of the District Department of Transportation.

3202.13 Enclosed sidewalk cafés. Enclosed sidewalk cafés shall comply with Sections 3202.13.1 through 3202.13.5 and all other applicable Sections of this code.

3202.13.1 Permits. Permits for enclosed sidewalk cafés shall be issued by the *code official* and shall comply with all applicable laws and regulations. Each application shall be accompanied by drawings of the structure, prepared and signed by a structural engineer registered in the District of Columbia. Other enforceable laws and regulations governing sidewalk cafés include: the Enclosed Sidewalk Café Act of 1982, effective September 16, 1982 (D.C. Law 4-148; D.C. Official Code § 10-1102.02 (2008 Repl.)); 24 DCMR Chapters 2 (Rental of Public Space) and 3 (Administrative Procedures for Sidewalk Cafés); Mayor's Order No. 77-150, dated



August 31, 1977; and regulations of the Department of Public Works, 30 DCR 4346, August 26, 1983, now applicable to DDOT.

3202.13.2 Design. Enclosed sidewalk cafés shall comply with Sections 3202.13.2.1 through 3202.13.2.5.

3202.13.2.1 Walls and roofs. Enclosed sidewalk cafés shall have walls and roofs constructed of noncombustible materials.

3202.13.2.2 Flooring. Flooring shall comply with Section 804.

3202.13.2.3 Enclosure materials. Any enclosure materials, and the contents enclosed therein, must be capable of being removed within 24 hours.

3202.13.2.4 Structural requirements. Enclosed sidewalk cafés shall be constructed in accordance with Chapter 16, Chapter 24 and other applicable sections of the *Building Code*.

3202.13.2.5 Means of egress. When the combined occupant loads of the sidewalk café and the adjacent restaurant exceed 75 persons, two means of egress shall be provided from the sidewalk café, one of which shall open directly to the sidewalk, public alley, or public space abutting the café. The second means of egress is allowed through the abutting restaurant. If two means of egress are required for the adjacent restaurant, two means of egress shall be required for the sidewalk café. If one of the means of egress of the café serves the interior of the restaurant, the width of the respective egress aisle across the café shall meet the requirement for a corridor serving the combined occupant load of the sidewalk café and the restaurant.